

# CHARTER REVIEW COMMISSION

## MINUTES

FEBRUARY 18, 2010

MEETING #4 6:00 P.M.

KENDALL-DEAN

83 GREENE STREET

NORTH SMITHFIELD, RI

MEMBERS:	JASON TINER (CHAIR)	X	PRESENT	___	ABSENT
	KENNETH MURPHY (V. CHAIR)	___	PRESENT	X	ABSENT
	JOHN WOJCIK (REC. SEC.)	X	PRESENT	___	ABSENT
	MICHAEL CLIFFORD	X	PRESENT	___	ABSENT
	FRANCESCA JOHANNIS	X	PRESENT	___	ABSENT
	ALFRED PUCETTI	X	PRESENT	___	ABSENT
	LINDA THIBAUT	X	PRESENT	___	ABSENT

\* AGENDA: REVIEW OF TOWN CHARTER ARTICLES

\* MEETING CALLED TO ORDER: BY L.THIBAUT TIME: 6:24 P.M.

\* APPROVAL OF MINUTES FROM FEB. 15, 2010: APPROVED AS AMENDED  
MOTION BY F.JOHANNIS, SECONDED BY A.PUCETTI

\* MINUTES SUBMITTED BY RECORDING SECRETARY: J.WOJCIK

CHAIRPERSON J.TINER ARRIVED 6:30 P.M. AND DISCUSSION BEGAN  
ON ARTICLE VIII THE BUDGET

A.PUCETTI PASSED OUT A THREE PAGE REPORT FROM THE BUDGET  
COMMITTEE ENTITLED: NORTH SMITHFIELD CHARTER PROVISIONS COMMENTS  
ON REVISION TO THE BUDGET COMMITTEE PROVISION. THE REPORT HAD  
SUGGESTIONS TO HELP THE REVIEW COMMISSION. THERE WERE SIX  
SECTIONS: BUDGET COMMITTEE MEMBERSHIP, NECESSITY, BOARD PURPOSE,  
OFFICE AND COMMITTEE MEMBER DUTIES, MEETINGS, AND SUBMISSION OF  
THE BUDGET. AFTER MUCH DISCUSSION, M.CLIFFORD SUGGESTED THAT A  
SUBCOMMITTEE OF TWO PEOPLE SHOULD LOOK AT BOTH THE CHARTER  
LANGUAGE AND THE REPORT. J.TINER AND M.CLIFFORD AGREED TO DO SO  
BEFORE THE NEXT MEETING AND COMBINE THE TWO INTO ONE  
COMPREHENSIVE SECTION FOR CHARTER INSERTION. ALL CHANGES TO  
ARTICLE VIII WOULD BE POSTPONED UNTIL J.TINER AND M.CLIFFORD  
SHARE THEIR FINDINGS AT THE NEXT MEETING.

J.TINER WILL ALSO ASK THE TOWN CLERK FOR AN ELECTRONIC COPY OF  
THE TOWN CHARTER.

DISCUSSION TURNED TO ARTICLE III SECTION II SUBMISSION OF ESTIMATES.

MEMBERS ASKED IF DATES SHOULD NOW CHANGE. WHY DOES THE SCHOOL DEPARTMENT HAVE A DIFFERENT DATE? F.JOHANNIS SUGGESTED CHANGING THE "SECOND MONDAY IN JANUARY" TO THE "SECOND MONDAY IN DECEMBER" IN SUBSECTION A. SHE REFERRED TO STATE LAW AND THE STATE TIMELINE. SHE HANDED OUT A SAMPLE TIMELINE AND STATED THAT BUDGET SUBMISSION DATES NEEDED TO BE PUSHED BACK. MEMBERS ASKED IF EARLIER SUBMISSION DATES WOULD MAKE NEGOTIATIONS WITH UNIONS MORE DIFFICULT. M.CLIFFORD ARGUED THAT OVER 90% OF THE SCHOOL DEPARTMENT BUDGET IS FIXED. F.JOHANNIS ALSO SAID THAT PERSONNEL ISSUES ARE A FACTOR IN BUDGET PREPARATION. SHE WOULD LIKE TO SEE A MARCH 1 SUBMISSION DATE FOR THE SCHOOL DEPARTMENT BUDGET. MEMBERS AGREED TO POSTPONE ANY DECISIONS UNTIL THE SUBCOMMITTEE OF J.TINER AND M.CLIFFORD SHARED THEIR FINDINGS AT THE NEXT MEETING.

M.CLIFFORD SUGGESTED THAT IN THE THREE WEEKS REMAINING, THE REVIEW COMMISSION SHOULD FOCUS ON THREE OR FOUR PRESSING AREAS OF THE CHARTER. J.TINER HANDED OUT COPIES OF THE BURRILLVILLE AND SMITHFIELD TOWN CHARTER SECTIONS THAT DEALT WITH A TOWN MANAGER FOR USE IN DISCUSSION OF ARTICLE V.

ARTICLE VIII THE BUDGET

SECTION 1. FISCAL YEAR  
MEMBERS AGREED NO CHANGE

SECTION 2. BUDGET GENERAL  
MEMBERS AGREED NO CHANGE

BECAUSE SUBSEQUENT SECTIONS REQUIRED DISCUSSION AND POSSIBLE CHANGE, DECISION WAS POSTPONED ON REST OF ARTICLE VIII UNTIL SUBCOMMITTEE REPORT AT NEXT MEETING.

ARTICLE X DEPARTMENT OF PUBLIC WORKS

SECTION 1. ORGANIZATION  
MEMBERS AGREED NO CHANGE

SECTION 2. POWERS AND DUTIES  
MEMBERS AGREED NO CHANGE

SECTION 3. COMPENSATION  
MEMBERS AGREED NO CHANGE

SECTION 4. FEES

CHANGE "...FORWARDED REGULARLY TO THE TOWN TREASURER" TO  
"...FORWARDED REGULARLY TO THE FINANCE DIRECTOR."

ARTICLE XI DIRECTOR OF PUBLIC SAFETY

SECTION 1. OFFICE

MEMBERS AGREED NO CHANGE

SECTION 2. POLICE DEPARTMENT

SUBSECTION (1) ASK TOWN SOLICITOR IF REFERENCE TO CONTRACT  
HAS TO BE MADE. NO ADDITIONAL CHANGES.

DISCUSSION OF PARAGRAPH ONE, LAST SENTENCE: "...HE SHALL BE  
APPOINTED BY THE TOWN ADMINISTRATOR FOR AN INDEFINITE TERM..."  
F. JOHANNIS WOULD LIKE TO ASK THE TOWN SOLICITOR IF A REFERENCE  
TO A "CONTRACT" SHOULD BE MADE. ALSO ASKED OF THE TOWN  
SOLICITOR, "WHY IS THERE NO CHARTER REFERENCE TO FEDERAL LAW?"  
QUESTION ALSO, DOES MAKING GENDER NEUTRAL ALL CHARTER LANGUAGE  
(HE/SHE; HIM/HER) AND INSERTING WORDS FOR NUMBERS (i.e. TWENTY-  
SIX [26]) HAVE TO BE A BALLOT QUESTION FOR VOTERS.

BRIEF DISCUSSION OF NEED FOR FULL-TIME SOLICITOR, AND MEMBERS  
DEBATED ASKING THE TOWN SOLICITOR TO ATTEND ONE OF THE LAST  
CHARTER REVIEW MEETINGS.

SECTION 3. FIRE DEPARTMENT

SUBSECTION (1) AUTHORIZATION: DELETE "... WITH APPROVAL BY  
THE ANNUAL FINANCIAL TOWN MEETING." NO ADDITIONAL CHANGES.

SECTION 4. INSPECTION DIVISION

CHANGE THE FOLLOWING DUTY LANGUAGE TO:

(FIRST BULLET) "ISSUE ALL PERMITS IN ACCORDANCE WITH  
EXISTING OR FUTURE ORDINANCES PASSED BY THE TOWN COUNCIL."

(FOURTH BULLET) "HAVE A CHARGE OF ENFORCEMENT AND POWER TO  
INSTITUTE LEGAL PROCEEDINGS BOTH CIVIL AND CRIMINAL ON BEHALF OF  
THE TOWN FOR VIOLATION OF ZONING ORDINANCES AND/OR BUILDING  
CODES."

ARTICLE XII PLANNING BOARD

SECTION 1. ORGANIZATION

SEE REVISION PP.34-35 FROM LAST CHARTER REVIEW COMMISSION  
DOCUMENT. REPLACE CURRENT SECTION 1 WITH SUGGESTED FIVE  
PARAGRAPH REVISIONS . NOTE SHOULD BE MADE OF ADDITIONAL MEMBERS  
FROM FIVE TO SEVEN AND IT WOULD NOW TAKE FOUR TO MAKE A QUORUM.

MOTION BY M.CLIFFORD TO FOCUS COMMITTEE DISCUSSION ON ARTICLES V, VII, AND VIII. SECONDED BY J.TINER. UNDER DISCUSSION M.CLIFFORD WITHDREW HIS MOTION.

ARTICLE XV OTHER OFFICES AND COMMISSIONS

SECTION 4.CIVIL DEFENSE

MOTION BY J.WOJCIK TO CHANGE THE WORDS "CIVIL DEFENSE" TO "EMERGENCY MANAGEMENT AGENCY," AND TO DELETE THE CURRENT WORDING AND REPLACE IT WITH "THERE SHALL BE AN EMERGENCY MANAGEMENT DIRECTOR WHO SHALL BE APPOINTED BY THE TOWN ADMINISTRATOR AND HAVE SUCH DUTIES AND RESPONSIBILITIES IN ACCORDANCE WITH RI G.L. 30-15-1, ET SEQ." SECONDED BY L.THIBAULT. MOTION PASSED UNANIMOUSLY. (wording from previous revision)

MOTION BY M.CLIFFORD TO FOCUS COMMITTEE DISCUSSION IN THE THREE REMAINING WEEKS ON ARTICLES V (TOWN ADMINISTRATOR), VII (DEPARTMENT OF FINANCE), AND VIII (THE BUDGET). SECONDED BY L.THIBAULT. MOTION PASSED UNANIMOUSLY.

FOR THE NEXT MEETING MEMBERS ARE ASKED TO REVIEW ARTICLE VIII AND COMMENT ON THE SUBCOMMITTEE FINDINGS. J.TINER WILL POST THE AGENDA AND E-MAIL MEMBERS CONCERNING THE EXACT DATE AND PLACE. TENTATIVELY, THE LAST TWO MEETINGS IN EARLY AND MID MARCH WILL FOCUS ON ARTICLES V AND VII.

MOTION TO ADJOURN AT 8:30 P.M. BY A.PUCCETTI. SECONDED BY L.THIBAULT. MOTION PASSED.